



# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Joint Resolution No. 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said joint resolution be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A JOINT RESOLUTION proposing an amendment to Article 10
- 3 of the Constitution of the State of Indiana concerning state fiscal
- 4 matters.
- 5 Delete everything after the enacting clause and insert the
- 6 following:
- 7 SECTION 1. The following amendment to the Constitution of the
- 8 State of Indiana is proposed and agreed to by this, the One Hundred
- 9 Nineteenth General Assembly of the State of Indiana, and is referred
- 10 to the next General Assembly for reconsideration and agreement.
- 11 SECTION 2. ARTICLE 10, SECTION 5 OF THE
- 12 CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO
- 13 READ AS FOLLOWS: Section 5. ~~No law shall authorize any debt to~~
- 14 ~~be contracted; on behalf of the State; except in the following cases: to~~
- 15 ~~meet casual deficits in the revenue; to pay the interest on the State~~
- 16 ~~Debt; to repel invasion; suppress insurrection; or, if hostilities be~~
- 17 ~~threatened; provide for the public defense. (a) The following~~
- 18 ~~definitions apply to this section:~~
- 19 (1) "Revenue" means all income received by the State and all
- 20 other State funds, excluding:
- 21 (A) the proceeds of bonds or other loans; and
- 22 (B) the balances and income of any trust funds of the
- 23 State.
- 24 (2) "Expense" means ordinary operating costs of State

1 government and the cost necessary to actuarially fund the  
2 accrued liabilities for employees' pension benefits. The term  
3 does not include any debt service payments made for asset-  
4 backed debt.

5 (b) Subject to subsection (c), the total amount of expense  
6 appropriations enacted by the General Assembly for a budget  
7 period may not exceed the estimated revenue of the State, as  
8 determined by law, during the budget period. The requirement  
9 under this subsection may be suspended if at least two-thirds of the  
10 members of the House of Representatives and at least two-thirds  
11 of the members of the Senate vote to suspend the requirement.

12 (c) This subsection applies if before the end of a budget period  
13 it is estimated, as determined by law, that the revenue of the State  
14 during the budget period will be less than the amount of expense  
15 appropriations enacted for that budget period. If this subsection  
16 applies, the total amount of expense appropriations enacted by the  
17 General Assembly for the following budget period may not exceed  
18 the sum of:

19 (1) the estimated revenue of the State, as determined by law,  
20 during the following budget period; minus

21 (2) the amount by which the expense appropriations made  
22 for the current budget period exceed the estimated revenue  
23 of the State in the current budget period.

24 The requirement under this subsection may be suspended if at least  
25 two-thirds of the members of the House of Representatives and at  
26 least two-thirds of the members of the Senate vote to suspend the  
27 requirement.

28 (d) A State budget enacted by the General Assembly must  
29 appropriate money for the State's pension funds in the amount  
30 necessary to actuarially fund the accrued liability of all such  
31 pension funds during the budget period, as determined at the  
32 beginning of the budget period.

33 (e) All expenses that are expected to be incurred by the State  
34 during the budget period must be included in the State budget.

35 (f) A court that orders a remedy pursuant to any case or  
36 controversy arising under this section may not order any remedies  
37 other than a declaratory judgment or such other remedies that are  
38 specifically authorized by the General Assembly in a law  
39 implementing this section.

(Reference is to SJR 19 as introduced.)

**and when so amended that said joint resolution be reassigned to the Senate Committee on Tax & Fiscal Policy.**

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LONG, Chairperson